

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of A.R. and L.R., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VELVET REINKE,

Respondent-Appellant,

and

JEREMY BRZEZICKI and DANIEL KALLOM,

Respondent.

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UNPUBLISHED

April 10, 2003

No. 243305

St. Clair Circuit Court

Family Division

LC No. 00-000327

Before: Jansen, P.J., and Kelly and Fort Hood, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (c)(ii), and (g). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

A.R. was placed in the court's custody following allegations that respondent-appellant was homeless and living in her car and that there was suspected illegal substances at issue. L.R., who was born while A.R. was in the court's temporary custody, was also made a temporary court ward following allegations that respondent-appellant had failed to address the issues that brought A.R. into the court's custody.

Respondent-appellant's parent-agency agreement required that she continue counseling that she had initiated at Community Mental Health (CMH), obtain and provide verification of a legal source of income, obtain and maintain safe and suitable housing, complete parenting classes, complete a substance abuse assessment and follow any recommendations of the assessment, submit random drug screens, and regularly attend visitation. Although respondent-appellant did continue her individual counseling, as required under the agreement, she failed to substantially comply with the remaining requirements of the parent-agency agreement. Evidence at trial was presented that respondent-appellant held several jobs during the two years the

children were in the court's care, that she failed to maintain suitable housing, that she failed to comply with the recommendations of the substance abuse assessment, that she failed to submit all the requested drug screens and that she failed to regularly visit the children, attending less than fifty percent of the scheduled visits. Although respondent-appellant presented witnesses to challenge petitioner's conclusion that her housing was unsuitable, the court concluded that the testimony from the caseworkers and photographs of respondent-appellant's motel room established petitioner's finding.

Under the foregoing circumstances, the trial court did not clearly err in finding that termination of respondent-appellant's parental rights was supported by clear and convincing evidence under MCL 712A.19b(3)(c)(i) and (g). MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although the court erred in terminating respondent-appellant's parental rights under MCL 712A.19b(3)(c)(ii) where neither the court nor petitioner cited any new or additional circumstances arising after the children were brought into the court's custody that would cause the children to come into the court's care, this error was harmless in light of the other grounds supporting termination. *In re Powers*, 244 Mich App 111, 117-118; 624 NW2d 472 (2000).

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Kathleen Jansen  
/s/ Kirsten Frank Kelly  
/s/ Karen M. Fort Hood